SECTION 3.3 USE CLASSIFICATION AND STANDARDS

For the purposes of this Bylaw, existing and future uses of land, buildings and other structures shall be allocated among the following categories. It is intended that every possible use be included in some category, and a use that does not readily fall into any category listed shall be included in the one to which it is most similar. Each use is assigned a number which is found in the left hand column of the following pages.

The Standards and Conditions column which is located to the right of the Use Classification column contains specific requirements which shall be met if the Use is to be permitted in any Zoning District by right, by Special Permit, or by Site Plan Review.

The column located to the right of the Standards and Conditions column indicates the Zoning Districts in which the specific Uses are permitted or prohibited. The following code is used in those columns:

Υ	=	Yes The Use is permitted by right in that Zoning District.
N	=	No The Use is not permitted in that Zoning District.
SPR	=	The Use is permitted by right with Site Plan Review (See Section 11.2) ¹
SP	=	The Use is permitted with a Special Permit, by the Zoning Board of Appeals (See Section 10.3)
SPP	=	The Use is permitted with a Special Permit, by the Planning Board (See Section 10.3)
()	=	The Use, if located within the Aquifer Recharge Protection District (ARP) shall be subject to the code designation within the parenthesis.

¹No Site Plan Review shall be required in those instances where a use change is proposed and no substantial physical changes (other than signs) will occur to the site or building exterior and where no new or additional requirements of the Zoning Bylaw must be met for the proposed use.

Bylaw	Land Use		Chandanda O	R-O						Zor	ning Dist	<u>ricts</u>					
Number	Classifications	i	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
SECTION 3.31	EXTENSIVE US	SES															
3.310	Forestry and the products.	he harvesting of forest		Υ	Υ	Υ	Y	Υ	Y	Υ	Y	Y	Υ	Y	Y	Υ	Y
3.311		ket garden, nursery, or other use mmercial or other agricultural		Y	Y	Y	Y	Y	Y	Y	Y	Υ	Y	Y	Y	Y	Y
3.312	nursery, garde	farm stand for the sale of en or other agriculture produce cles of home manufacture from	Class I and Class II farm stands shall be located on a property a minimum of two (2 annually generates at least \$1,000 per acre based on gross sales dollars, or, on a p						nat the sa	ale of pro	ducts pr	oduced	from the	agricultu	iral use o	f the pro	perty
	3.312	Class I Farm stand		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
			based on either gross sales dollars or volume, have been produced by the owner of products for sale, based on either gross annual sales or annual volume, have been products for sale, based upon either gross annual sales or annual volume, have be commercial agriculture, aquaculture, silviculture, horticulture (including the growing on which the facility is located or by another, all as provided for under MGL Ch. 40	produced I en produce ng and kee	by the over ed in Mas ping of n	vner or le ssachuset ursery sto	essee of t tts on lar	he land o	n which than that	the facili	ty is loca h the fac	ted, and cility is lo	at least cated, us	an additi sed for th	onal 50 p ne primai	ercent o	f such e of
	3.3121	Class II Farm stand		SP	SP	SP	SP	SP	SPR	SPR	SPR	SPR	SPR	SP	SP	SP	SP
			For produce grown during June, July, August & September of every year, or during	the harves	t season	of the pr	imary cro	an(c) raice	مما مم امم	d of the				1 FO/ - F + I-	o produ	te for cal	111
			be produced by the owner or lessee of the land on which the facility is located. For annual volume, have been produced by the owner or lessee of the land on which sales or annual volume, have been produced in Massachusetts on land, other that horticulture (including the growing and keeping of nursery stock and the sale there	r produce and the facility that on wh	generate ty is locat iich the fa	d withou ted, and a acility is l	t regard t at least a ocated, u	to season n addition used for tl	ns, at leas nal 50 pe he prima	t 15% of rcent of ry purpo	such pro such pro se of con	oducts for ducts for nmercial	or sale, ba r sale, ba I agricult	ased on e sed upor ure, aqua	either gro n either g nculture,	ss annua ross ann silvicultu	l sales ual re,
3.313		oultry or livestock farm, of pets for gainful	or annual volume, have been produced by the owner or lessee of the land on whic sales or annual volume, have been produced in Massachusetts on land, other that	r produce and the facility that on wh	generate ty is locat iich the fa	d withou ted, and a acility is l	t regard t at least a ocated, u	to season n addition used for tl	ns, at leas nal 50 pe he prima	t 15% of rcent of ry purpo	such pro such pro se of con	oducts for ducts for nmercial	or sale, ba r sale, ba I agricult	ased on e sed upor ure, aqua	either gro n either g nculture,	ss annua ross ann silvicultu	l sales ual re,
	or the raising of purposes.	of pets for gainful vildlife preserve, or	or annual volume, have been produced by the owner or lessee of the land on whic sales or annual volume, have been produced in Massachusetts on land, other that	r produce (h the facilit that on wh eof), floricu	generate ty is locat lich the fa llture or v	d withou ted, and a acility is le viticulture	t regard t at least a ocated, u e, whethe	to season n addition used for the er by the	ns, at leas nal 50 pe he prima owner or	t 15% of rcent of ry purpo r lessee o	such pro such pro se of con of the lan	oducts for ducts for mmercial and on wh	or sale, bar sale, bar sale, ball agriculti	ased on e sed upor ure, aqua acility is l	either gro n either g nculture, ocated o	ess annua gross ann silvicultu r by anot	l sales ual re, her.
3.314	or the raising of purposes.	of pets for gainful vildlife preserve, or ation use.	or annual volume, have been produced by the owner or lessee of the land on whic sales or annual volume, have been produced in Massachusetts on land, other that	r produce g h the facilit that on wh eof), floricu	generate ty is locat sich the fa llture or v	d without ted, and a acility is le viticulture	t regard fat least a ocated, ue, whether	to season n addition used for the er by the	ns, at leas nal 50 pe he prima owner or	t 15% of rcent of ry purpo r lessee c	such pro such pro se of con of the lan	oducts for ducts for mmercial and on wh	or sale, bar sale, bar sale, bal agricultrich the fa	ased on e sed upor ure, aqua acility is l	either gro n either g aculture, ocated o	ess annua gross ann silvicultu r by anot	l sales ual re, her.
3.314	or the raising of purposes. Reservation, we other conserva	of pets for gainful vildlife preserve, or ation use.	or annual volume, have been produced by the owner or lessee of the land on whic sales or annual volume, have been produced in Massachusetts on land, other that	r produce ; h the facilii that on wh eof), floricu Y Y SP	generate ty is locat ich the fa liture or v	d withouted, and a acility is liviticulture	t regard tat least a ocated, u	to season n addition n sed for the per by the	ns, at leas nal 50 pe he prima owner oi	t 15% of rcent of ry purpo r lessee c	such prosuch p	oducts for ducts for mmercial and on wh	or sale, bar sale, bar sale, bal agriculti	ased on e sed upor ure, aqua acility is l	either gro n either g aculture, ocated o	ess annua eross annu silvicultu r by anot N	I sales ual re, her.
3.314	or the raising of purposes. Reservation, wother conservation outdoor recrees. Surface water	of pets for gainful vildlife preserve, or ation use. ational use impoundment, flood ds, or other surface use	or annual volume, have been produced by the owner or lessee of the land on whic sales or annual volume, have been produced in Massachusetts on land, other that horticulture (including the growing and keeping of nursery stock and the sale there	r produce ph the facilitation wheels, floricus Y Y SP SP Seederal regums and surfice surfices and surfices surfices and surfices surfices and surfices s	generate ty is locat ich the fa ilture or v N Y SP SP SP Slations g face water	d withouted, and a callity is leviticulture. N N SP Overning or impour	t regard at least a ocated, the e, whether the e, w	N SP mental, filshall be de	s, at leas nal 50 pe he prima owner or N Y SP SP ood-relat obtained	t 15% of reent of ry purpo r lessee c	such prosuch p	oducts for ducts for ducts for mercial don who who will be seen as a seen as	r sale, bar sale, bar sale, bar sale, bal agriculti ich the fa	N SP of the prieto abide.	sither grown either gaculture, ocated o	ess annua eross annua silvicultu r by anot N Y N SP	SP SPR
3.313 3.314 3.315 3.316	or the raising of purposes. Reservation, wother conservation of the conservation of t	wildlife preserve, or ation use. eational use impoundment, flood ds, or other surface use use.	or annual volume, have been produced by the owner or lessee of the land on which sales or annual volume, have been produced in Massachusetts on land, other that horticulture (including the growing and keeping of nursery stock and the sale there where the sale there were also should be accessory to the operation of the outdoor recreation activition. Any use proposed under this section shall abide by all applicable local, state, and fassociated structures and site alterations, and all applicable permits governing data.	r produce ph the facilitation wheels, floricus Y Y SP SP Seederal regums and surfice surfices and surfices surfices and surfices surfices and surfices s	generate ty is locat ich the fa ilture or v N Y SP SP SP Slations g face water	d withouted, and a callity is leviticulture. N N SP Overning or impour	t regard at least a ocated, the e, whether the e, w	N SP mental, filshall be de	s, at leas nal 50 pe he prima owner or N Y SP SP ood-relat obtained	t 15% of reent of ry purpo r lessee c	such prosuch p	oducts for ducts for ducts for mercial don who who will be seen as a seen as	r sale, bar sale, bar sale, bar sale, bal agriculti ich the fa	N SP of the prieto abide.	sither grown either gaculture, ocated o	ess annua eross annua silvicultu r by anot N Y N SP	SP SPR
3.314 3.315 3.316 3.317	or the raising of purposes. Reservation, wother conservation outdoor recree Surface water retention pond water storage water storage	of pets for gainful vildlife preserve, or ation use. vational use impoundment, flood ds, or other surface use use.	or annual volume, have been produced by the owner or lessee of the land on which sales or annual volume, have been produced in Massachusetts on land, other that horticulture (including the growing and keeping of nursery stock and the sale there where the sale there were also should be accessory to the operation of the outdoor recreation activition. Any use proposed under this section shall abide by all applicable local, state, and fassociated structures and site alterations, and all applicable permits governing data.	r produce (h the facilii that on whoof), floricu Y Y SP ees. SP ederal reguns and surf iit issued ui	generate ty is local ich the fa liture or v N Y SP SP Slations g face wate nder this	N SP Overning or impour section a	t regard at least a ocated, the property of th	N SP mental, fls shall be cobe N	s, at leas nal 50 pe he prima owner or N Y SP SP ood-relat obtained dered a vi	t 15% of reent of reent of ry purpor lessee of N Y SP SP sed, structed and main itelation to the set of th	such prosuch p	oducts for ducts for ducts for mmercial and on what is a few series of the series of t	or sale, bar sale, bar sale, bar sale, bal agricultiich the fa	N SP of the price to abide. Bylaw.	sither grown either grown eithe	oss annua pross annua silvicultu r by anot N N N SP se and it	SP SPR SP SPR s

Bylaw	Land Use					R-O						Zo	ning Dist	ricts_					
Number	Classifications		Standards & Conditions			R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
3.321	Two family detached dwelling (duplex)		Except as may ot dwellings in the sconstruction, ren	therwise be authorized under this s surrounding neighborhood. In all o novation, or expansion resulting in dwelling (duplex) is created.	districts, the Special Permit Grant	ing Autho	rity or Pe	ermit Gra	nting Bo	ard, as ap	oplicable	shall ap	ply the p	provisions	s of Secti	ions 3.20	40 and 3	.2041 to a	any
			Permit Granting a continuously by a	dwelling units are arranged side by Authority or Permit Granting Boar a shared foundation, walls and roo c is compatible with the architectur	d, as applicable, may allow a dup of. The Special Permit Granting A	lex where uthority o	the two r Permit	units do Granting	not share Board m	e a comn ay make	non wall such an	abutting allowand	habitabl	e space b	ut are in	stead co	nnected	structura	
	3.3210	Owner occupied duplex				SP	SP	SPR	SPR	N	N	N	N	SPR	N	N	N	N	N
						(N)	(N)												
			For an owner occ	cupied duplex, one (1) or both of t	he dwelling units serve as the pri	ncipal resi	dence of	one or n	nore owr	ner(s) of	the prop	erty.							
	3.3211	Non-owner occupied duplex				SP	SP	SP	SP	N	N	N	N	SP	N	N	N	N	N
			_			(N)	(N)							_					
				occupied duplex, one (1) or both of occupied by a total of more than to		ther unit s	serves as	the princ	ipal resid	dence of	one or m	iore own	ner(s) of t	he prope	erty. No	dwelling	unit und	er this us	e
			•	nit Granting Authority shall require as a condition of approval.	the ongoing services of a qualifi	ed profess	ional ma	nagemer	nt compa	ny, the p	resence	of an on-	-site man	ager, or	similar p	rovisions	for prop	er manag	gement
			1	Name(s) and contact informati	ion shall be provided for the owr	er, any re	sponsible	e rental p	roperty r	nanagen	nent enti	ty, and a	t least or	ne on-site	e residen	t.			
			2		d in the Rules and Regulations ad the concrete steps to be taken b														
			3		a Special Permit granted under th liance with special Permit conditi				, -			f the sub	ject prop	erty, and	the Spe	cial Perm	nit Grant	ing Autho	rity
			Each non-owner-	-occupied duplex in a cluster subdi	vision shall require a Special Peri	nit in all z	oning dis	tricts.											
	3.3212	Affordable Duplex				SPR	SPR	SPR	SPR	N	N	N	N	SPR	N	N	N	N	N
						(SP)	(SP)												
				plex shall be defined as a two fami alth's 40B Subsidized Housing Inver															ted on
3.322	Town House					N	N	SP	SP	N	SPR	SP	SP	SP	N	N	N	N	N
			Each building sha	all be separated from other such b	uildings by a minimum of twenty	(20) feet,	and have	e no more	l e than te	n (10) dv	velling ur	its.							
				hall be connected with the public s business, commercial, and educat						shall fal	l within o	ne of th	e followi	ng areas:	1) areas	s close to	heavily	traveled s	streets,
			any application n	olan, as defined in terms of form an made under this section. All dimen 10 and 3.2041 to any construction,	nsional regulations in Article 6 sha	all be obse	rved . In	all distri	cts, the F	ermit Gr	anting B	oard or S		-	•			-	•
3.323	Apartments					N	N	SP	SP	N	SPR	SP	SP	SP	N	N	N	N	N
				oon which one or more apartment developed for multi-family use.	buildings are proposed shall be I	ocated: 1)	close to	a heavily	traveled	street o	r streets,	2) close	to a bus	iness, cor	mmercia	l or educ	ational c	istrict, or	3) in
			-	all have no fewer than 3, nor more	_	lding shall	be conn	ected to	the publi	c sewer	system p	rior to o	ccupancy	. Dimens	ional reg	gulations	in Article	6 shall b	е

observed. In addition, the following requirements shall apply:

Bylaw	Land Use	Chandanda O			R-O						Zor	ning Distr	icts					
Number	Classifications	Standards & Conditions			R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		<u>District</u>	Add'l Side/Rea Yards per Floo	ar <u>Floor Area Ratio</u> r	Minimum Natural C													
		R-G	2 ft.															
		B-L	2 ft.															
		B-VC	2 ft.															
		B-N	2 ft.	0.3	40%													
				latural Open Space" shall include (a) those portion recreational use in common by the residents o					-		-							
		Specifically exclud	ed from this defi	nition are those areas devoted to parking, acces	ss, and servi	ice drives	i.											

No more than 50% of the total number of dwelling units shall be of any one size (i.e. # of bedrooms). A management plan, as defined in terms of form and content in the rules and Regulations adopted by the Permit Granting Board or Special Permit Granting Authority shall be included as an integral part of any application under this section. In all districts, the Permit Granting Board or Special Permit Granting Authority shall apply the provisions of Sections 3.2040 and 3.2041 to any construction, renovation, or expansion resulting in the creation of new dwelling units under this section.

3.324	Subdividable/Conv	verted Dwellings													
	3.3240	Subdividable Dwelling	SP	SP	SP	SP N	SP	SP	SP	SP	N	N	N	N	N
		(See Section 12.33, Definitions)	(N)	(N)											

- 1 A subdividable dwelling shall contain provisions for a specified number of dwelling units not to exceed three in accordance with a Special Permit issued prior to its use as more than a single family dwelling. The total number of dwelling units at any given time may be fewer than, but shall never exceed the maximum number allowed under the Special Permit.
- 2 A subdividable dwelling shall meet all zoning requirements applicable to a multi-family dwelling of the maximum number of units allowed under the Special Permit. All requirements of Table 3 (Dimensional Regulations) of Article 6 and parking requirements in Article 7 shall be met at the time of construction.
- At least one of the dwelling units shall be and shall remain owner-occupied, which requirement shall be made a condition of any Special Permit issued under this section. 3
- 4 This use shall not be permitted in the Aquifer Recharge Protection (ARP) or Watershed Protection (WP) overlay districts.
- 5 Prior to issuing a Special Permit for this use in the B-G, B-L, B-VC, and B-N districts, the Special Permit Granting Authority shall find that the proposed multiple dwelling use and the nonresidential uses, both existing and permitted, in the district will be mutually compatible.
- 6 A subdividable dwelling shall be connected to the public sewer. However, the Special Permit Granting Authority may authorize the construction of a two-family subdividable dwelling on a lot serviced by a septic system approved by the Board of Health for such a dwelling.
- 7 A management plan as defined in the applicable regulations issued by the Special Permit Granting Authority shall be included as an integral part of any application under this section. The management plan shall be subject to review and reapproval at a public hearing held by said Authority prior to the issuance of a building permit to increase the number of dwelling units within a subdividable dwelling, which review shall be made a condition of any Special Permit issued under this section. The sole purpose of said review shall be the consideration of any changes in circumstances pertinent to said management plan that have occurred from the time of issuance of the Special Permit or any subsequent review pursuant to this requirement, and the extent to which the management plan should be modified as a result. Notice of hearing shall be provided in accordance with Mass. Gen. Laws, Chapter 40A. In addition to such notice, parties in interest as defined in Chapter 40A shall be provided with a summary of the approved management plan then in effect and any changes proposed thereto.
- 8 A landscape plan appropriate for the project shall be included in the application.
- Subdividable dwellings in the R-O, R-LD, and R-N districts shall provide the following minimum areas of usable open space per dwelling unit on the same lot as said dwelling units, for the use of occupants:

R-N 1,000 sq. ft.

Bylaw	Land Use		Standards 0		R-O						Zor	ning Dist	ricts					
Number	Classifications		Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
				R-O, R-LD 2,000 sq. ft	i.													
			10	Provided all other requirements are met, a subdividable dwelling	g shall be	eligible	or subsec	uent pr	oceeding	s in accor	rdance v	vith Sect	ion 3.324	11 (Conve	rted Dw	elling) of	this byla	w.
			11	For a subdividable dwelling proposed on a lot within a Definitive Planning Board. For all other subdividable dwellings, the Specia									Special Pe	ermit Gra	nting Au	thority s	hall be th	ie
	3.3241	Converted			SP	SP	SP	SP	N	SPR	SP	SP	SP	N	N	N	N	N
		Dwelling (See Section 12.07, Definitions)			(N)	(N)												
			1	An existing residence, a structure attached to an existing reside which would apply to converted dwellings are met.	nce, or a	detached	structure	, may b	e conver	ted into a	a dwellin	ng unit o	units pr	ovided al	l other zo	oning red	quiremer	nts
			2	A converted dwelling use may involve the conversion of one or would otherwise be allowed under the provisions of Table 3, Di property shall not exceed 4 in the R-G, R-VC, R-N, R-O, and R-L or Watershed Protection (WP) overlay districts shall not be per	mensiona D districts	l Regulat	ions, for t	ne zonir	ng district	t(s) in que	estion. F	urther, t	he total	number (of dwellir	ng units o	on a give	n
			3	In the B-L, B-VC and B-N districts, the Special Permit Granting Adwelling use would be mutually compatible with existing uses a										ection on	ly after f	inding th	at the co	nverted
			4	There shall be no significant change in the exterior of the building of a building if such modification or alteration does not substan					_				-				on or alte	ration
			5	Except as hereinafter provided, no converted dwelling use shall Conversion may involve an entire residential structure, except t dwelling use, whether in one or more buildings, may result fron elements or foundation. An exception shall be that up to forty building footprint with the remainder being the result of demol Authority or Permit granting Board that two (2) or more of the	hat no mo n new buil percent (4 ition and i	ore than food Iding food 10%) of greconstru	twenty pe tprint as v ross squai iction wit	rcent (2 vell as d e foota	20%) of the emolition ge of res	ne gross so n and sub- ulting hab	quare fo sequent pitable sp	ootage of reconst pace may	resulting ruction o y be pern	g habitab f an exist nitted, in	ing struc cluding n	ture, inc o more	luding state	of new
				The conversion addresses urgent and compelling issues or	f public sa	afety or h	ealth.											
				b. The conversion results in the creation of a minimum of o	ne (1) dw	elling uni	t that is fu	Ily hand	dicapped	accessible	e under	the prov	isions of	the AAB	and ADA			
				c. The conversion results in the creation of a minimum of o on the Commonwealth's 40B Subsidized Housing Invento		-								i.12 or 15	i.13, and	is eligibl	e to be c	ounted
				d. The conversion is predominantly the result of sustainable significant amounts of existing structural members and a								t improv	ements i	n energy	efficienc	y, retent	ion or re	use of
				e. If the conversion is proposed for one or more historic bu Register of Historic Places, or 4) have been determined b of historic portions of the building(s) in question shall con	y the Hist	orical Co	mmission	to be hi	istorically	significa	nt under	r Section	13.4 of t	his Bylav	, then th	ne propo		
			6	The proposed conversion shall be suitably located in the neighb residential district, shall either: a) be located in an area that is a family use and shall require owner-occupancy or a Resident Ma owner-occupied, a requirement which shall be made a conditio	close to he nager (see	eavily tra e definiti	veled stre	ets, clos	se to bus units; or l	iness, cor b) be fro	nmercia	ıl and edı	ucational	districts	, or alrea	dy devel	oped for	multi-
			7	The dwelling units shall be connected to the public sewer. Howe	ever, the S	Special Pe	ermit Grai	nting Au	thority m	nay autho	rize, wit	h the ap	proval of	the Boar	rd of Hea	ilth, the	conversio	on of a

structure to allow an increase from one dwelling unit to two dwelling units on a lot serviced by a septic system.

Bylaw	Land Use		Standards &		R-O						Zo	ning Dist	ricts_					
Number	Classifications		Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			8	The Special Permit Granting Authority may modify the dimensi one (1) additional unit, only if it finds the modification would be dwellings are not permitted, conversion of a non-conforming s	e in accor	dance wi	th the pr	ovisions	of Sectio	n 9.22. In	those z	oning di	stricts wl	here two	family d	etached		ıdd
			9	No detached structure shall be converted under the provisions square feet of habitable space. Conversion of a detached struction of the square feet of habitable space.														
			10	A management plan as defined in the <u>Rules and Regulations</u> ad	opted by t	he Specia	al Permit	Grantin	g Authori	ty, shall b	e includ	ed as an	integral	part of a	ny applic	ation.		
			11	A landscape plan appropriate for the project shall be included i	n the appl	ication.												
			12	Converted dwellings in the R-O and the R-LD districts shall protected the R-N district shall provide a minimum of 1,000 sq. ft. of use			,		able ope	n space p	er dwel	ling unit	for the u	se of occ	upants.	Converte	ed dwelling	ţs in
3.325	Mixed-use buil	ding			N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
			A mixed-use build and lawful access	ling shall be a building containing dwelling unit(s) in combination vory use(s).	vith permi	tted reta	il, busine	ess, instit	utional, g	governme	nt, publ	ic service	, consun	ner servi	ce, office	or simila	ar principa	use(s)
			section. In those I section of the byla	ian, as defined in terms of form and content in the Rules and Regu Limited Business (B-L) Districts not abutting the B-G District, and in aw shall be required wherever proposed residential uses above the espect to the site and potential conflicts between the residential a	the Comi e first floo	mercial (C or exceed	COM) Dis ten (10)	trict, a S	pecial Pe	rmit from	the Spe	cial Perr	nit Grant	ing Auth	ority autl	horized t	o act unde	er this
			customarily used associated with a	al (COM) District no dwelling unit nor any internal space associated by the public. First floor residential dwelling units, and any require nd serving those units. No more than forty percent (40%) of the fi ed with or incidental to, whether for storage, required entries, sta	ed entries rst floor G	thereto, : ross Floo	shall be l r Area sh	ocated o	n the rea	r of build sidential p	ngs, ad urpose	jacent to s, which	any requ	uired par	king and	private o	pen space	2
3.326	dormitory, or s Amherst Colleg	orority building, social imilar use related to ge, Hampshire College, ty of Massachusetts.		be connected to the public sewer system prior to occupancy. Its I avily traveled streets; areas close to business, commercial, and ed					-		N mily use	N e.	N	N	N	N	N	N
			A management pl section.	lan, as defined in terms of form and content in the Rules and Regu	lations ad	opted by	the Pern	nit Grant	ing Autho	ority shall	be inclu	ıded as a	n integra	al part of	any appl	ication n	nade unde	r this
3.327	Overnight Lodg	ing																
	3.327.0	Hotel or Motel			N	N	N	N	N	SP	SP	SP	SP	SP	N	N	N	N
				be connected with the public sewer system prior to occupancy. I commercial and educational districts; areas already developed fo			ice distri	ct, shall f	all withir	one of th	e follov	ving area	s: areas	close to	heavily tr	aveled s	treets; are	as
				c, only hotel or motel uses with lodging rooms on 2 or more floors														
			The Zoning Board	of Appeals may allow a restaurant as a second Principal use, alon	g with hot	el/motel-	related	retail and	d consum	er service	s as acc	essory u	ses, unde	er a Spec	ial Permi	t for a ho	otel or mot	tel.
			A management pl	lan, as defined in terms of form and content by the Rules and Regu	ulations ad	lopted by	the Zon	ing Boar	d of Appe	eals shall b	e part o	of any ap	plication	made ur	nder this	section.		

Bylaw	Land Use		Standards &		R-O						Zo	ning Dist	ricts					
Number	Classifications		Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			In the COM District, Inns shall be allowed only in those areas which	are also within the	bounda	ries of N	ational H	Historic F	Register [Districts.								
			The Zoning Board of Appeals may allow a restaurant as a second Pr	incipal use, along wi	ith inn-r	elated re	etail and	consum	er servic	es as acc	essory u	ses, unde	r a Speci	al Permit	for an i	nn. A ma	nagemer	nt plan,
			as defined in terms of form and content by the Rules and Regulatio	ns adopted by the Z	oning Bo	oard of A	Appeals s	shall be p	oart of an	ny applica	ition ma	de under	this sect	ion.				
	3.327.2	Hostel			SP	SP	SP	SP	SP	SPR	SP	SP	SPR	SPR	N	N	N	N
			The building shall be connected with the public sewer prior to occu	ipancy.														
			The hostel shall be within easy walking distance of public transports	ation.														
			The owner or manager of the hostel shall reside on the premises.															
			There shall be no separate cooking facilities in guest rooms. Meals	may be provided to	hostel l	lodgers a	and to ot	ther pers	ons atte	nding sch	neduled 6	education	nal event	s sponso	red by ar	nd held a	t the hos	tel.
			In the R-G, R-N, R-O and R-LD Districts, a hostel may provide up to 2	20 beds. In all distric	cts wher	e the us	e is allov	wed, a m	inimum (of 20 per	cent of h	ostel be	ds shall b	e in roon	ns contai	ining 2-4	beds.	
			Secure bicycle parking and/or storage shall be provided, with a total	al capacity equal to o	or excee	ding the	number	r of parki	ing space	s require	ed for vel	hicles.						
			A management plan, as defined in terms of form and content in the	e Rules and Regulation	ons ado	pted by	the Zonii	ng Board	of Appe	als, shall	be part o	of any ap	plication	made ur	der this	section.		
3.328	Congregate housing and disabled. (See Se	•			N	N	SP	SP	N	N	N	SP	SP	SP	N	N	N	N
			The minimum lot area shall be 12,000 sq. ft. or 1,000 sq. ft. multipli occupancy. Its lot shall fall within one of the following areas: areas use.	•		-		_			-							family
3.329	Lodging or boarding	house			N	N	SP	N	N	SPR	SP	SP	SP	SP	N	N	N	N
			In the B-VC, B-N, COM and R-VC districts, the Zoning Board of Appe Section 10.38 and this section. In the R-VC District, a lodging or boa						-		ed it find	ls that th	e propos	al meets	the prov	visions of	Article 7	
			There shall be no separate cooking facilities. Meals may be provide	ed to lodgers/boarde	ers/roor	ners, bu	t not to	member	s of the g	general p	ublic not	lodged a	at the est	ablishme	nt.			
			The owner or manager of the lodging or boarding house shall reside	e on the premises.														
			Where a lodging or boarding house is to be located in an existing do	welling, there shall b	be no su	bstantia	l change	in the ex	xterior of	f the buil	ding.							
			The building shall be connected to the public sewer prior to occupa shall be part of any application made under this section.	ancy. A management	t plan, as	s defined	d in term	s of forn	n and cor	ntent in t	he Rules	and Reg	ulations	adopted	by the Zo	oning Bo	ard of Ap	oeals
SECTION	INSTITUTIONAL USE	S																
3.33																		
3.330	Non-profit Uses																	
	including a land owne	t educational institution, any educational use on ed or leased by the wealth or any of its	See Section 2.04 and 3.21		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
	agencies,	subdivisions, or bodies by a religious sect or	Sec Section 2.04 dita 3.21															

Bylaw	Land Use	0. 1.10	R-O						Zo	ning Dist	ricts_					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	ОР	LI	PRP	FPC
	3.330.1 Non-profit human service use.	Continue of the continue of th	SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	SPR	SPR	SPR	SP	SP
		Uses under this section may include administrative offices and human service fareas for off-site service delivery and facilities reasonably necessary for the saf						the com	nmunity	on or fror	n the pre	emises, ir	ncluding	facilities	used as s	taging
		A use under this section may offer a wide range of services on or from the prea and clothing, provision of meals, and/or restrooms/shower facilities.	nises, including	g but not	limited t	o, couns	eling and	therapy	, training	for emp	loyment	and othe	er life ski	lls, distril	oution of	food
		Other uses, such as retail sales, health services, personal care services, or simil accessory and incidental to the principal non-profit human service use.	ar uses, may b	e permitt	ted, but s	hall be o	perated i	in a man	ner and (during su	ch limite	d hours a	s to ren	der them	clearly	
		Non-profit human service uses involving overnight shelter or other residential	activity shall be	regulate	ed under	Section 3	3.336.1.									
3.331	Kindergarten, day nursery or other agency for the day care of children.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.332	For-profit trade, professional, or other educational institution.		N	N	SP	SP	N	SPR	SPR	SPR	SPR	SPR	N	N	SPR	N
3.333	Church or other place of worship, parish house, rectory, or convent.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.334	Not for profit library or museum.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.335	Public park, playground or other public recreation facility.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.336	Medical or residential institutions.															
	3.336.0 For-profit hospital, sanitarium, nursing, rest or convalescent home, living care community, or other medical or residential facility.		SP	SP	SP	SP	N	SP	SP	SP	SP	N	SP	N	N	N
	3.336.1 Philanthropic or charitable medical or residential facility.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.337	Cemetery		SP	SP	N	N	N	N	N	N	N	N	N	N	N	N
3.338	Private lodge or club		SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	N	N	N	N	N
		A club, civic, social, professional or fraternal organization that is non-profit and The organization shall be incorporated for service or charitable purposes unde												_		iness.
		In the B-N District, if alcohol is served as part of any function conducted or per $11:30\ p.m.$	mitted by the o	organizat	ion, the e	establish	ment sha	ll be clos	sed by 9:	00 p.m.; c	otherwise	e, the est	ablishm	ent shall	be closed	l by
3.339	Service building or other non- academic facility related to the operation of Amherst College, Hampshire College, or the University of Massachusetts.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
		Owned or managed by a College or University, but located outside of any Educ	ational District													1
SECTION	GOVERNMENTAL & PUBLIC SERVICE															

Bylaw	Land Use	Chandanda O	R-O						Zon	ning Distr	icts_					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
3.34																
3.340	Utility Uses 3.340.0 Transformer station or other energy facility or use.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SPR	SP	SPR	SP	SP
		Excluding any office, storage, or repair use unless otherwise allowed by the regulat	ions of the	district.												
	3.340.1 Telephone exchange, radio or TV station, broadcasting facility, recording studio or	Evoluting any office, storage or repair use upless otherwise allowed by the regulation	SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	SPR	SP	SP	SP	SP
	other communication use.	Excluding any office, storage, or repair use unless otherwise allowed by the regulat	ions of the	aistrict.												
	3.340.2 Wireless communications facility or other similar communications use.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

Excluding any office, storage, or repair use unless otherwise allowed by the regulations of the district.

The following standards and conditions shall apply to commercial and public wireless communication uses and facilities:

- Setback & Height. Towers, antenna, antenna support structures and other vertical elements of wireless communication facilities located in a residential district or upon a property abutting a residential use shall be set back from the nearest residential lot line a distance at least equal to their height. In all districts, the height of wireless communications towers shall not exceed 125 feet above the ground. In non-residential districts, the Permit Granting Authority may allow a lesser setback or greater height if such modification provides adequate safety, promotes co-location or improves design, and will not significantly impact the character and appearance of the neighborhood. In making a request for a lesser setback, the manufacturer or qualified licensed designer shall certify that the tower is designed to collapse upon itself in the event of failure. The Permit Granting Authority may also allow lesser setbacks necessary to allow for the use of an existing structure.
- Design provisions for such facilities shall include, but are not limited to:
 - a. No new tower shall be used which involves a lattice construction, requires three (3) or more legs and/or requires guy wire supports.
 - b. No tower or other facility structure shall contain any signs or other devices for the purpose of advertisement.
 - c. The visible portions of support facilities and structures such as vaults, equipment buildings or enclosures and utilities shall be constructed out of and/or finished with non-reflective materials.
 - d. All towers, antenna, antenna support structures and similar facilities shall be of neutral colors that are harmonious with, and blend with, the natural features, buildings and structures in the surroundings; provided, however, that such facilities located on the exterior of a building shall be of colors that match and/or blend with those of the building.
 - e. All building-mounted facilities shall be designed and located so as to appear to be an integral part of the existing architecture of the building.
 - f. All electronic and other related equipment and appurtenances necessary for the operation of any wireless communication facility shall, whenever possible, be located within a lawfully pre-existing structure or completely below grade. When a new structure is required to house such equipment, the siting, design and materials of said structure shall be harmonious with, and blend with, the natural features, buildings and structures in the surroundings.
 - g. All satellite dishes shall be of mesh construction, unless technical evidence is submitted demonstrating that this requirement is infeasible. Microwave dishes are exempted from this provision.
 - h. All wireless communication facilities shall be protected against unauthorized climbing or other access by the public.
 - i. Whenever feasible, design and siting of towers shall avoid the need for application of Federal Aviation Administration (FAA) lighting and painting requirements. Except as required by the FAA, towers shall not be artificially lighted.

Bylaw	Land Use		R-O						Zon	ing Distr	ricts					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC

- Applicants shall submit eight (8) view lines shown in a one (1) mile radius from the site, beginning at true North and continuing clockwise at forty-five (45) degree intervals. Said view lines shall, to the extent feasible, be taken from existing vantage points commonly used by the public, such as public ways, buildings or facilities. The submittal shall include unaltered photographs taken from eye level (5 feet above grade) which show the existing condition of these view lines, as well as accurate scale perspective elevation drawings, computer-altered photographs or other accurate representations showing said view lines with the facility in place.
- k. Landscape plans submitted with the application shall identify all existing vegetation, shall indicate which vegetation is to be retained on-site, and shall show all proposed new vegetation and other landscape treatments.

3 Co-location.

- a. All new wireless communication facilities shall be co-located, to the maximum extent practicable and technologically feasible, with one or more existing wireless communication facilities, towers, buildings or other structures whose height, location and characteristics meet the needs of the proposed facility.
- b. All new wireless communication towers or support structures shall be designed, to the maximum extent practicable and technologically feasible, for co-location of antennas and other necessary facilities for at least three other wireless communication providers, shall offer space to all other providers at market rates, and shall provide for towers that can be expanded upward. Any Special Permit granted for a new facility under this section may be conditioned upon the written agreement of the facility operator to allow the colocation of other wireless communication providers on commercially reasonable terms.
- c. Any applicant proposing not to co-locate their facility or proposing to locate their facility in a residential district shall provide written evidence and documentation demonstrating why it is not feasible for their facility to be co-located with existing facilities or sited in other, non-residential districts.
- Frequencies. All telecommunications facilities shall be operated only at Federal Communications Commission (FCC) designated frequencies, power levels and standards, including FCC Radio Frequency Emissions standards. The applicant shall provide certification demonstrating that the maximum allowable frequencies, power levels and standards will not be exceeded. Certifications shall include technical specifications, a written explanation of those specifications, and, if necessary, field verification. The Permit Granting Authority may condition any Special Permit granted under this section upon a periodic submittal of certification of compliance with said standards.
- Repair & Upkeep. All wireless communication facilities shall be maintained in good order and repair. Paint finishes shall be maintained and repaired when blemishes are visible from the property line. The applicant shall provide an inspection schedule, and shall file copies of inspections with the Building Commissioner.
- 6 License & Permits. The operator of every wireless communication facility shall submit to the Building Commissioner copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility, and shall maintain such licenses and permits and provide evidence of renewal or extension thereof when granted.
- Removal. All structures associated with a wireless communications use shall be removed within one (1) year of the cessation of said use. If applicable, an annual certification demonstrating continued compliance with the standards of the Federal Communications Commission, Federal Aviation Administration and the American National Standards Institute, including provisions for required maintenance, shall be filed with the Building Commissioner by the permit holder. Prior to the issuance of a building permit for a wireless communications use, the applicant shall post and submit a bond or other financial surety acceptable to the Town in an amount sufficient to cover the cost of demolishing and/or removing the facility in the event the Building Commissioner condemns the property or deems it to have been abandoned or vacant for more than one year. Said amount shall be certified by an engineer, architect or other qualified professional registered to practice in the Commonwealth of Massachusetts. In the event the posted amount does not cover the cost of demolition and/or removal, the Town may place a lien upon the property covering the difference in cost.
- Modifications. The Permit Granting Authority may modify any provision of these standards and conditions if it can be demonstrated that it is technically infeasible to meet said standards or conditions, or that their effect is to prohibit the proposed use throughout the Town, or if such modification will promote use of existing buildings or structures, co-location of wireless communications uses, improve safety or design, or otherwise promote the purposes of this bylaw.

Bylaw	Land Use		Standards &	R-O						<u>Zo</u>	ning Dist	tricts					
Number	Classifications		Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		sportation Facility															
	3.34	0.30 Railroad or bus depot or other transportation facility.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SPR	SP	SP	SP	SP
			Excluding any office, storage, or repair use unless otherwise allowed by the regu	lations of the	district												
	3.34	0.31 Taxicab, limousine service and similar uses.		N	N	N	N	N	SPR	SP	SPR	SP	SPR	SP	SP	SP	N
			The operation of a taxi or limousine (livery) service shall be considered a princip: from or delivered to the site, or; 2) three (3) or more vehicles are physically disp ongoing associated vehicle maintenance and repairs.	atched from	or stored	d on-site,	or; 3) an	y vehicle	carries r	nore tha	n eight (8	8) passer	ngers, or;	4) on-sit	e activiti	es include	
			The operation of taxicab or limousine service may be permitted as an accessory limited to dispatch and storage of no more than two (2) vehicles, 2) no vehicle u on-site, and 4) no passengers visit the premises.									_					•
			In the B-N District, if pick-up and drop-off from the site are permitted, the establ site at any time.								in three (
3.341	Airport or helip	port		SP	SP	N	N	N	SP	SP	N	N	SP	N	SP	N	N
				(N)	(N)												
3.342	Governmental building; fire or	administration r police station.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N
3.343		ping station buildings; ent plant, or water		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SP
3.344	Other governm specifically liste			SP	SP	SP	SP	SP	SPR	SPR	SPR	SPR	SPR	SP	SP	SP	SP
SECTION 3.3	35 RETAIL BUSINE SERVICES	SS AND CONSUMER															
3.350	Retail Establish	iments															
	3.350.0	Retail stores		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
			Display & sales to be primarily conducted within the building.														
			In the B-N District, no more than four (4) employees shall be on-site at any time,	walk-up facil	lities are	permitte	d as an a	ccessory	use for f	food reta	ail only, a	ind the e	stablishm	ent shall	be close	d by 9:00) p.m.
	3.350.1	Convenience stores for the sale of prepared and		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
		packaged food or beverage.	Display & sales to be primarily conducted within the building.														
			In the B-N District, no more than four (4) employees shall be on-site at any time,	walk-up facil	lities are	permitte	d as an a	ccessory	use for f	food reta	ail only, a	ind the e	stablishm	ent shall	be close	d by 9:00) p.m.
	3.350.2	Grocery, bakery, deli, butcher shop, fish market, caterer or	Display & sales to be primarily conducted within the building.	N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		similar establishment for the production and sale of food and beverage.	In the B-N District, no more than four (4) employees shall be on-site at any time,	walk-up facil	lities are	permitte	d as an a	ccessory	use for f	food reta	ail only, a	ind the e	stablishm	ent shall	be close	d by 9:00) p.m.
3.351	Personal care e	establishments.															

Bylaw	Land Use		Standards &	R-O						Zon	ing Dist	ricts					
Number	Classifications		Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
	3.351.0	Barber or beauty shop, hair salon, tanning salon or similar place for personal care services.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
			In the B-N District, no more than four (4) employees shall be on-site at any time, a	nd the esta	blishme	nt shall be	closed	by 9:00 p.	m.								
	3.351.1	Laundry or dry-cleaning		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		shop, or self-service dry- cleaning or laundry.	In the B-N District, no more than four (4) employees shall be on-site at any time, a may be operated in the B-N District.	nd the esta	blishmer	nt shall be	closed	by 9:00 p.	m. No d	ry-cleanii	ng shop	where th	e cleanir	ng is cond	ducted o	n the prei	mises
	3.351.2	Tailor, garment maker,		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		milliner, cobbler, or other shop for the repair	In the B-N District, no more than four (4) employees shall be on-site at any time, a	nd the esta	blishme	nt shall be	closed	by 9:00 p.	m.								
		or manufacture and sale of clothing or footwear.															
3.352	Food & Drink Estab	lishments															
	3.352.0 Class I	Restaurant, café, lunchroom, cafeteria or similar place.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
								11 130 166	t from ar	iy resider	itiai uwe	ciiii 6	Nesidell				piaii,
			as defined in terms of form and content by the permit granting board or authority patrons gathered outdoors on the property, including those awaiting entry. Any s In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwelli premises.	ervice of foo	cluded a od or be n indoor	s an integ verages o and outd	ral part utside th	of any ap ne buildin vice of al	plication g shall be cohol sha	made un e to perso	ider this ons seate at 9:00 p	section. ed at tab o.m., and	The man les for th any outs	agement e purpos ide wall	t plan sha se of out of a build	all addres door dinin ding occu	s ng. pied by
	3.352.1 Class II	Restaurant or bar	patrons gathered outdoors on the property, including those awaiting entry. Any s In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwelli	ervice of foo	cluded a od or be n indoor	s an integ verages o and outd	ral part utside th	of any ap ne buildin vice of al	plication g shall be cohol sha	made un e to perso	ider this ons seate at 9:00 p	section. ed at tab o.m., and	The man les for th any outs	agement e purpos ide wall	t plan sha se of out of a build	all addres door dinin ding occu	s ng. pied by
	3.352.1 Class II		patrons gathered outdoors on the property, including those awaiting entry. Any s In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwelli	ervice of foo seats, both og in a Resid N nment is op shment is louded as an i	cluded a pod or be indoor dence dis N en after ocated 1!	s an integ verages o and outd strict. Wa N 11:30 p.n 50 feet or oart of an	oor. Ser ulk-up far N n. wheth less froi y applica	of any ap ne buildin vice of al cilities ma N er alcoho m any res tion mad	plication g shall be cohol sha y be per SP Il is serve idential de e under	made une to personal cease a mitted as SP ed or not, dwelling it this section.	at 9:00 ps an accessor; b) ren a Resion. The	section. ed at tab D.m., and essory us N egardless dence dise manage	The man les for the any outs e in concession of hours strict. A rement places	agement e purpos ide wall ert with N of operanangement shall a	t plan shise of out of a build outdoor N ation, whent plan ddress p	all addres door dinir ding occu dining on N nere alcoh , as defin	ng. pied by the N nol is ed in
	3.352.1 Class II 3.352.2 Class III	bar	patrons gathered outdoors on the property, including those awaiting entry. Any so In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwelli premises. For serving food or beverage to persons inside the building, where: a) the establishered and any outside wall of that portion of the building occupied by the establisterms of form and content by the permit granting board or authority, shall be incl	ervice of foo seats, both og in a Resid N nment is op shment is louded as an i	cluded a pod or be indoor dence dis N en after ocated 1!	s an integ verages o and outd strict. Wa N 11:30 p.n 50 feet or oart of an	oor. Ser ulk-up far N n. wheth less froi y applica	of any ap ne buildin vice of al cilities ma N er alcoho m any res tion mad	plication g shall be cohol sha y be per SP Il is serve idential de e under	made une to personal cease a mitted as SP ed or not, dwelling it this section.	at 9:00 ps an accessor; b) ren a Resion. The	section. ed at tab D.m., and essory us N egardless dence dise manage	The man les for the any outs e in concession of hours strict. A rement places	agement e purpos ide wall ert with N of operanangement shall a	t plan shise of out of a build outdoor N ation, whent plan ddress p	all addres door dinir ding occu dining on N nere alcoh , as defin	ng. pied by the N nol is ed in
		bar Drive-up	patrons gathered outdoors on the property, including those awaiting entry. Any so In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwelli premises. For serving food or beverage to persons inside the building, where: a) the establishered and any outside wall of that portion of the building occupied by the establisterms of form and content by the permit granting board or authority, shall be incl	orvice of foo seats, both ag in a Resid N nament is op shment is lo ided as an i everages ou	cluded a od or be n indoor dence dis N en after recated 1! ntegral putside th	s an integ verages o and outd strict. Wa N 11:30 p.n 50 feet or oart of an e building	oor. Ser ulk-up fac N n. wheth less froi y applica shall be	of any ap ne buildin vice of al cilities ma N er alcoho m any res ation mad to perso	plication g shall be cohol sha y be per SP I is serve idential of e under ns seated	made un e to perso all cease a mitted as SP ed or not, dwelling i this section d at table	at 9:00 ps an accessor; b) ren a Resion. The	section. ed at tab D.m., and essory us N egardless dence dise manage	The man les for the any outs e in concession of hours strict. A rement places	agement e purpos ide wall ert with N of operanangement shall a	t plan shise of out of a build outdoor N ation, whent plan ddress p	all addres door dinir ding occu dining on N nere alcoh , as defin	ng. pied by the N nol is ed in
3.353		Drive-up restaurant cture house, e hall, arcade or	patrons gathered outdoors on the property, including those awaiting entry. Any solution of the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwelli premises. For serving food or beverage to persons inside the building, where: a) the establishment and any outside wall of that portion of the building occupied by the establishment of form and content by the permit granting board or authority, shall be included outdoors on the property, including those awaiting entry. Any service of food or be	N nment is op shment is lot ded as an i everages ou N r similar me N n the intent 0% of the n amusement	n indoor dence districted in the second seco	s an integ verages o and outd strict. Wa N 11:30 p.n 50 feet or oart of an e building N persons r	oor. Serilk-up far N n. wheth less from y applicates shall be	of any ap ne buildin vice of al cilities ma Ner alcohom any restition mad to perso N g in their N as alloway able in substrains in substrains in substrains in substrains in substrains and substrains and substrains in substra	plication g shall be cohol shall be cohol shall be generally be performed by the performance of the cohol shall be cohol shall	made une to personal cease a mitted as SP ed or not, dwelling i this section at table N SP ein; and firea be so automatic	at 9:00 ps an accessor of the state of the s	section. ed at tab o.m., and essory us N egardless dence dis e manage e purpose N N N N nat in such	The man les for the any outse in concern of hours strict. A rement place of outder SP	agement e purpos ide wall ert with N s of operanangem n shall a bor dinin N SP t no more ed as: pr	t plan shise of out of a built outdoor N ation, whent plan ddress p	all addres door dining or dining on N N nere alcoh, as definatrons ga N N N N Of the proportion	s ong. pied by the N nool is ed in thered N
3.353	3.352.2 Class III Theater, motion pic bowling alley, danc other indoor comm	Drive-up restaurant cture house, e hall, arcade or lercial amusement	patrons gathered outdoors on the property, including those awaiting entry. Any so the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwellip premises. For serving food or beverage to persons inside the building, where: a) the establishment and outside wall of that portion of the building occupied by the establishment of form and content by the permit granting board or authority, shall be incloutdoors on the property, including those awaiting entry. Any service of food or beverages outside the building via a drive-up window or other lines of the Office Park District to be permitted only if determined to be compatible with shall be directly related to land uses included in this section, nor shall more than a premises where a party maintains for commercial purpose six or more automatic	N nment is op shment is lot ded as an i everages ou N r similar me N n the intent 0% of the n amusement	n indoor dence districted in the second seco	s an integ verages o and outd strict. Wa N 11:30 p.n 50 feet or oart of an e building N persons r	oor. Serilk-up far N n. wheth less from y applicates shall be	of any ap ne buildin vice of al cilities ma Ner alcohom any restition mad to perso N g in their N as alloway able in substrains in substrains in substrains in substrains in substrains and substrains and substrains in substra	plication g shall be cohol shall be cohol shall be generally be performed by the performance of the cohol shall be cohol shall	made une to personal cease a mitted as SP ed or not, dwelling i this section at table N SP ein; and firea be so automatic	at 9:00 ps an accessor of the state of the s	section. ed at tab o.m., and essory us N egardless dence dis e manage e purpose N N N N nat in such	The man les for the any outse in concern of hours strict. A rement place of outder SP	agement e purpos ide wall ert with N s of operanangem n shall a bor dinin N SP t no more ed as: pr	t plan shise of out of a built outdoor N ation, whent plan ddress p	all addres door dining or dining on N N nere alcoh, as definatrons ga N N N N Of the proportion	s ong. pied by the N nool is ed in thered N

Bylaw	Land Use		Characterists 0	R-O						Zo	ning Dist	ricts					
Number	Classifications		Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		ographer's studio		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
	3.355.1 Rena	air shop for household		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
	appl	iances, radio and				,,		,,								, ,	
		vision sets, or office pment.															
	cqui	pmene															
3.356		le mechanic, printer,		N	N	N	N	N	SP	SP	SP	SPR	SPR	N	N	N	N
		lder, carpenter, cian, lawnmower															
		on, painter, plumber,															
	roofer or other recognized trace																
			All work and storage to be conducted within a building.														
			All trades shop operations shall undertake all reasonable measures to prevent roperations shall be allowed which are hazardous by reason of potential fire, exp					m creati	ng a distu	urbance	or nuisar	nce beyo	nd the lin	nits of th	e establi	shment.	No
			In the B-N District, there shall be no more than four (4) employees on-site at an	y given time.	No opera	ations sha	all be allo	owed prio	or to 7:00	a.m. or	after 7:0	00 p.m.					
3.357	•	ablishment, kennel, or		SP	N	N	N	N	N	SP	N	SP	SPR	N	N	N	N
	place for the b	parding of animals.			(N)												
			In the B-N District, a veterinary clinic may be operated under the provisions of t employees on-site at any given time, and the establishment shall be closed by 7		ut no ken	nel or ov	ernight b	ooarding	of anima	ls shall b	e permit	ted. The	ere shall b	e no mo	re than f	our (4)	
3.358	Office Uses																
	3.358.0	Bank, loan agency, real		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	N	N
		estate, insurance or other business or	In the B-N District, no drive-through facilities shall be permitted. There shall be	no more thar	ı six (6) e	mployees	on-site	at any gi	ven time	, and the	establis	hment sl	hall be clo	osed by 7	':00 p.m.		
		professional office															
		providing services to the public in person on the															
		premises.															
	3.358.1	Technical or professional		N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	SPR	SP	SPR	N
		office such as architect, engineer, lawyer,	For the purposes of this section, the public shall be defined as including all personal perso	-				-									
		financial services, or	customers or clients who are provided services in person on the premises durin be discretionary follow-up visits by customers or clients with regard to services														
		similar office providing services predominantly	etc.), and the like. Office uses under this section shall advertise their on-premis									,			,,		,
		by appointment to the															
		public in person on the premises.															
		μι επιίσες.															
	3.358.2	Administrative business office or similar business		N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N
		or professional office not	For the purposes of these sections, the public shall be defined as including all pe														ulionel -
		providing services to the general public in person	contractors (delivery, maintenance, etc.), and the like. No office use under this being available exclusively by telephone, mail, on-line, or other remote means.	section shall a	auvertise	its servic	es as de	nig avallä	inie to Cl	iscomers	and cile	iits on tr	ie premis	es. servi	ices stigil	ne auvei	useu as
		on the premises.	[For Sections 3.358.1 and 3.358.2, inclusive]														
			[. 0. 000.0.0 0.000.1 und 0.000.2, molaure]														

Bylaw	Land Use		Chamber 1 C			R-O						Zo	ning Dist	ricts					
Number	Classifications		Standards & Conditions			R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			In the B-N District,	, there shall be no more than six (5) employees on-site at any give	n time, an	d the est	ablishme	nt shall	be closed	l by 7:00	p.m.							<u>.</u>
			under these section	, uses under these sections shall bons is located on a property adjoin and the nearest residential propelayout allow, a vegetated buffer o	ing a residential district, a minimerty boundaries. When the Spec	num 50-fo ial Permit	ot uninte Granting	errupted of Authorit	vegetate y or Per	ed buffer mit Grant	shall be e	stablish d detern	ed and n	naintaine	d betwee	en buildir	ngs assoc	iated wit	h uses
				t, the Zoning Board of Appeals ma proposed office use meets the fo		office use (under Se	ctions 3.3	358.1 or	3.358.2 p	roviding i	t finds t	hat, in a	ddition to	meeting	the pro	visions o	f Article 7	and
			1.	Is located on the ground floor of	only, and occupies no more than	50 percer	t of the	gross floo	or area o	of the stru	icture, ex	clusive o	of storag	e space.					
			2.	Shall be allowed only as a secon	nd Principal use, where the first	Principal u	ise is a re	esidential	use.										
			3.	Shares a property line with or is	adjacent to another property v	vith a simi	lar use p	ermitted	under th	nis section	n or a pro	perty in	the B-L,	B-VC or	COM dist	ricts.			
			4.	Employs no more than 3 persor	ns (for a Section 3.358.1 office)	or 5 persor	ns (Sectio	on 3.358.2	2) who w	vork on -s	ite, othe	than re	esidents (of the pro	perty.				
			5.	Where located in an existing dv	velling, the residential character	of the str	ucture a	nd site sh	all be m	aintained	l.								
3.359	Medical or dental	laboratory				N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	SPR	SPR	N
																		(SP)	
			In the B-N District,	, there shall be no more than six (6) employees on-site at any give	n time, an	d the est	ablishme	nt shall	be closed	l by 7:00	p.m.							
3.360	Medical Uses																		
	3.360.0	Medical office				N	N	SP	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	SP	N
			See definition und	er Article 12. In the R-VC District,	a medical office shall be permit	ted only u	nder a S _l	pecial Per	rmit as p	art of a n	nixed use	under S	Section 3	.325, and	is not ot	herwise	permitte	d.	
			In the B-N District,	, there shall be no more than six (6) employees on-site at any give	n time, an	d the est	ablishme	nt shall	be closed	l by 7:00	p.m.							
	3.360.1	Medical group				N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	N	N
		practice	See definition und	er Article 12. In the B-N District, t	here shall be no more than eigh	ıt (8) empl	oyees or	n-site at a	ny given	time, an	d the esta	ablishme	ent shall	be closed	by 7:00	p.m.			
	3.360.2	Medical center				N	N	N	N	N	SPR	SPR	SPR	N	SPR	SPR	N	N	N
	2 252 2		See definition und	ler Article 12.							cnn	CDD	con		CDD	CDD			
	3.360.3	Clinic or emergency care facility				N	N	N	N	N	SPR	SPR	SPR	N	SPR	SPR	N	N	N
			An outpatient pub	lic health clinic as defined under A	Article 12.														
	3.360.40	Medical Marijuana Treatment	Center (MMTC)			N	N	N	N	N	SP	SP*	SP	N	SP	SP	SP	N	N
			*Allowed only in t	hose B-L Districts which co-occur	with the R&D overlay district. F	or other st	:andards	and cond	litions se	ee Section	n 3.360.4	1.							
			See definition und	er Article 12.															
	3.360.41	Off-Site Medical Marijuana Dis	spensary (OMMD)			N	N	N	N	N	SP	CD	SP	N	SD	CD	SP	N	N
			See definition und	ler Article 12.		IN	IN	IN	IN	IN	3r	JP .	3r	IN	3r	31	3r	IN	14

Bylaw	Land Use		R-O						Zor	ning Distr	ricts					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC

1. Purposes. It is recognized that the nature of the substance cultivated, processed, and/or sold by medical marijuana treatment centers and off-site medical marijuana dispensaries may have objectionable operational characteristics and should be located in such a way as to ensure the health, safety, and general well-being of the public as well as patients seeking treatment. The specific and separate regulation of Registered Marijuana Dispensaries (RMDs) as Medical Marijuana Treatment Centers (MMTCs) and Off-site Medical Marijuana Dispensaries (OMMDs) facilities is necessary advance these purposes and ensure that such facilities are not located within close proximity of minors and do not become concentrated in any one area within the Town of Amherst.

Subject to the provisions of this Zoning Bylaw, Chapter 40A of the Massachusetts General Laws, and 105 CMR 725.000, MMTCs and OMMDs will be permitted to provide medical support, security, and physician oversight that meet or exceed state regulations as established by the Massachusetts Department of Health (DPH).

- 2. Application Requirements. Above and beyond the standard application requirements for Special Permits, an application for a use under this section shall include the following:
 - a) The name and address of each owner of the facility/operation;
 - b) Copies of all required RMD registrations issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the facility;
 - c) Evidence that the Applicant has site control and the right to use the site for a facility in the form of a deed or valid purchase and sale agreement, or, in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement;
 - d) A notarized statement signed by the organization's Chief Executive Officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons;
 - e) In addition to what is normally required in a site plan pursuant to Section 11.2, details showing all exterior proposed security measures for the premises, including lighting, fencing, gates and alarms, etc. ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity.
 - f) A Management Plan as required under the Rules and Regulations of the Special Permit Granting Authority, including a description of all activities to occur on site, including all provisions for the delivery of medical marijuana and related products to OMMDs or off-site direct delivery to patients.
 - g) A traffic impact report as set forth in the Rules and Regulations of the Special Permit Granting Authority shall be developed and submitted with the application.
- 3. Regulations. The following regulations shall apply to uses under this section:
 - a. Use Regulations.
 - 1) Uses under this section may only be involved in the uses and activities permitted by its definition as limited by state law, and may not include other businesses or services in the same building.
 - No marijuana shall be smoked, eaten or otherwise consumed or ingested on the premises.
 - 3) The hours of operation shall be set by the Special Permit Granting Authority, but in no event shall a facility be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises, between the hours of 8:00 p.m. and 8:00 a.m.
 - b. Locational and Physical Requirements
 - 1) All aspects of a MMTC or OMMD relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials must take place at a fixed location within a fully enclosed building and shall not be visible from the exterior of the business.
 - 2) No outside storage of marijuana, related supplies, or educational materials is permitted.
 - 3) No MMTC shall have a gross floor area in excess of 25,000 square feet.
 - 4) No OMMD facility shall have a gross floor area accessible to patients which is in excess of 2,500 square feet, except as may be permitted under 3., e., 1), c). Space in an OMMD facility which is dedicated to administration or operations and is accessible only to employees of the facility shall not be included in this limitation.
 - 5) Ventilation all facilities shall be ventilated in such a manner that:
 - a) No pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere; and
 - b) No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the MMTC or OMMD facility or at any adjoining use or property.

Bylaw	Land Use		R-O						Zor	ning Distr	ricts					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC

6) A number of signs determined to be sufficient by the Special Permit Granting Authority shall be displayed on the exterior of the facility's entrance in plain sight of clients stating that "Registration Card Issued by the MA Department of Public Health Required" in text two inches in height.

c. Reporting Requirements

- 1) All Special Permit holders for uses under this section shall provide the Police Department, Fire Department, Building Commissioner, Board of Health, and Special Permit Granting Authority with the names, phone numbers, mailing and email addresses of all management staff and key-holders, including a minimum of two (2) operators or managers of the facilities identified as designated contact persons to whom notice should be made if there are operating problems associated with any use under this section. All such contact information shall be updated as needed to keep it current and accurate.
- 2) The designated contact persons shall notify the Police Department, Fire Department, Building Commissioner, Board of Health, and Special Permit Granting Authority in writing:
 - a) A minimum of thirty (30) days prior to any change in ownership or management of a facility regulated under this section, and
 - b) A minimum of twelve (12) hours following a violation, a potential violation, or any attempts to violate any applicable law, or any criminal, potential criminal, or attempted criminal activities at a facility regulated under this section.
- 3) The designated representatives of permitted facilities shall file an annual report with the Special Permit Granting Authority and shall appear before said Authority to present the report no later than January 31st of each year, providing a copy of all current applicable state licenses for the owners and facilities, to demonstrate continued compliance with the conditions of the Special Permit.
- 4) The designated contact persons shall be required to respond by phone or email within twenty-four (24) hours of the time of contact and inquiry regarding operation of the facility by a town official to the telephone number or email address provided as the contact for the business.

d. Transfer/Discontinuance of Use

- 1) A Special Permit granted under this Section is non-transferable and shall have a term limited to the duration of the applicant's ownership of the premises as a MMTC or OMMD.
- 2) Any MMTC or OMMD permitted under this section shall be required to remove all material, plants equipment and other paraphernalia in compliance with 105 CMR 725.105 (J), (O) prior to expiration of its DPH Registration or immediately following revocation or voiding of its DPH Registration.

e. Prohibitions.

- 1) The building(s) in which the proposed uses occur shall not be located:
 - a) Within three hundred (300) feet of any building:
 - i. containing another MMTC or OMMD: or
 - ii. in which is located a public or private elementary school, middle school, secondary school, preparatory school, licensed daycare center, or any other facility in which children commonly congregate in an organized ongoing formal basis; or
 - iii. owned by and operated as part of the campus of any private or public institution of higher learning, or
 - iv. housing a public library; or
 - v. any residential use, excepting a mixed-use building under s
 - b) Within, on the same lot as, or on a lot immediately adjacent to a licensed pharmacy; or
 - c) Within buildings that contain any pharmacy, medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.

 An exception shall be that the Special Permit Granting Authority may grant permission for palliative and therapeutic care uses in the same building in which an MMTC or OMMD is operated; or
 - d) Wiithin a building containing residential units, including transient housing or group housing such as hotels, motels, lodging houses, or dormitories.
- 2) The proposed use shall not display:
 - a) Off-premises signage; or
 - b) On-premises signage or other marketing on the exterior of the building or in any manner visible from a public way, which, in the opinion of the Special Permit Granting Authority, may promote or encourage:
 - i. The use or abuse of marijuana or other drugs for non-medical purposes; or
 - ii. The use or abuse of marijuana or other drugs by minors; or
 - iii. The active marketing or marijuana or other drugs for medicinal purposes.

Bylaw	Land Use	Cherry decords C		R-O						Zo	ning Dist	ricts_					\Box
Number	Classifications	Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			iv. An exception shall be that the Special Permit	Granting A	uthority	shall not	prohibit	t signage	which is	required	by the N	1A Depar	tment of	Public H	ealth.		
			In addition to the findings required under Section 10.38, and meet that the proposed use:	eting the pr	ovisions	of Article	es 7, 8, a	nd all oth	er applic	able sec	tions of t	his Bylav	, the Spe	ecial Pern	nit Grant	ing Autho	rity
		a.	Meets a demonstrated need.														
		b.	Meets all of the permitting requirements of all applicable age regulations.	ncies within	n the Cor	mmonwe	alth of N	∕lassachu	setts and	l will as p	roposed	be in co	mpliance	with all a	applicabl	e state la	ws and
		c.	Is designed to minimize any adverse visual or economic impac	s on abutt	ers and c	ther par	ties in in	terest.									
		d.	Provides a secure indoor waiting area for patients.														
		e.	Provides an adequate pick up/drop off area.														
		f.	Provides adequate security measures to ensure that no individe cultivation of marijuana is adequately secured in enclosed, loc			pose a di	rect thre	eat to the	health o	or safety	of other	individua	ils, and th	nat the st	orage an	d/or loca	tion of
		g.	Adequately addresses issues of vehicular and pedestrian traffice vehicular and pedestrian traffic on neighboring uses.	c, circulatio	on, parki	ng and qu	ueuing, e	especially	during p	eak peri	ods at the	e facility,	and ade	quately n	nitigates	the impa	cts of
3.361	Auction gallery for exhibition, sale by auction, so-called "tag sales" and so-called "flea markets".			N	N	N	N	N	N	SPR	N	N	SPR	N	SPR	N	N
3.362	Shop of a potter, ceramist, sculptor, silversmith, jeweler, lapidary, weaver, clockmaker, musical instrument maker, wood carver, graphic artist, leather worker (not including tanning or processing), candlemaker, or similar craftsperson.	All work and stor	age to be conducted within a building.	N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
SECTION 3.	37 RESEARCH AND INDUSTRIAL USES																
3.370	Warehouse or other enclosed building for the storage, distribution or wholesale marketing of material, merchandise, products or equipment.	Such use not to b	e hazardous by reason of potential fire, explosion, or radiation.	N	N	N	N	N	N	N	N	N	SPR	N	SPR	SPR	N
3.371	Lumber yard, fuel storage plant, contractor's yard, or other open-air establishment for the primary storage, distribution, or sale at			N	N	N	N	N	N	N	N	N	SP	N	SP	N	N
	wholesale or retail of merchandise, products or equipment.	Salvage materials	not included.														
		See Section 3.02															
3.372																	
	3.372.0 Research and Development or Testing facility			N	N	SP	N	N	SP	SP SPR*	SP	SP	SPR	SPR	SPR	SPR	N
		* In those areas of	the B-L District which coincide with the Research & Development	(R&D) ove	rlav distr	ict. Site P	lan Revi	ew appro	val shall	be requi	red for u	ses regul	ated und	er this se	ection. Ir	all other	areas

^{*} In those areas of the B-L District which coincide with the Research & Development (R&D) overlay district, Site Plan Review approval shall be required for uses regulated under this section. In all other areas of the B-L District, a Special Permit shall be required from the Zoning Board of Appeals.

Uses under this section shall include research, development and/or testing of innovative information, concepts, methods, processes, materials, or products. This shall include but not be limited to activities conducted in laboratory settings. The accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses under the provisions of Section 5.07.

w	Land Use	Standards &	R-O						Zon	ing Distr	icts					
nber	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	F
		In the B-G, B-L, B-VC, B-N and R-VC districts, the Zoning Board provisions of Section 3.359, Article 7 and Section 10.38. An exlimited, shall be permitted through Site Plan Review approval.	ception shall be where the B-L D													
		In all zones, all outdoor storage of materials and equipment si odors that are a nuisance beyond the lot line, and further no Health, determines to be unduly hazardous by reasons of pote waste identified as toxic or hazardous, flammable, or explosiv Authority authorized to act under the applicable section of thi	operations shall be permitted when tial fire, explosion, radiation, one. No research or testing shall b	nich the Por chemic	Permit Grant	anting Booglical ha	oard or S azard, inc	pecial Per luding ha	mit Grai zards res	nting Aut sulting fr	thority, a	fter cons use, prod	sultation uction or	with the storage	Board of of materia	:
	3.372.1 Publishing, data processing, light manufacturing, light assembly including computer hardware and		N	N	SP	N	N	SP	SP SPR*	SP	SP	SPR	SPR	SPR	SPR	1
	software, and scientific products with associated	* In those areas of the B-L District which coincide with the Rese of the B-L District, a Special Permit shall be required from the		lay distri	ct, Site Pl	an Revie	w approv	al shall b	e require	ed for us	es regula	ated und	er this se	ction. Ir	all other a	are
	offices and distribution facilities.	Uses under this section shall include those which involve the I processing, fabrication, assembly, treatment, and packaging o production within enclosed structures of custom goods fabric	f such products as well as incide	ntal stora	age and d	listributi	on of suc	h product	s and as	sociated	offices.		•	,		ı-site
		No mass manufacturing, processing, or fabrication normally on the on-premises sale of custom-made goods produced by han applicable section of the Bylaw.														ρt t
		In the R-VC District, the Zoning Board of Appeals may grant a Sections 3.359, Article 7 and Section 10.38. In all zones, all ou shall create noise, vibration, dust, fumes, or odors, that are a Authority, after consultation with the Board of Health, detern production or storage of materials or waste identified as toxic in accordance with all applicable public health and safety regu	tdoor storage of materials and e nuisance beyond the lot line, and nines to be unduly hazardous by or hazardous, flammable, or ex	equipmer d further, reason o	nt shall be , no oper f potentia	e screene ations sh al fire, ex	ed from p nall be pe kplosion,	ublic viev rmitted w radiation,	v, from p hich the , or chen	oublic wa Permit nical or b	ys and a Granting piological	butting r Board o I hazard	esidentia r Special resulting	l district Permit (from the	s. No ope Granting e use,	era
	3.372.2 Manufacturing, assembly		N	N	N	N	N	N	N	N	N	N	N	SP	SP	1
	and processing, including associated offices and distribution facilities.	Uses under this section shall include those involving the manu- parts. These uses may include processing, fabrication, asseml uses may involve the production and/or storage of volumes o Granting Authority under the requirements of this section. The	oly, treatment, and packaging of ftoxic or hazardous, flammable,	such pro or explo	ducts, as sive mate	well as i erials un	ncidenta der appro	l storage a opriate sa	and distr feguards	ribution of	of such poditions,	roducts as deteri	and assoc	ciated of	fices. The	ese
		In all zones, all outdoor storage of materials and equipment si odors, that are a nuisance beyond the lot line, and further, no radiation, or chemical or biological hazard resulting from the involving such materials shall be conducted in a fully enclosed	operations shall be permitted wuse, production, or storage of ma	hich the aterials o	Permit G or waste i	ranting dentified	Board de	termines or hazaro	to be un lous, flar	duly haz	ardous b	y reason	of poten	tial fire,	explosion,	١,
3	Removal of soil, sod, loam, sand, gravel, rock, quarried stone, or other		SP	SP	N	N	N	N	N	N	N	N	N	SP	SP	S
	•		(N)	(N)												
	earth products.	Any Special Permit under this section issued by the Zoning Bo	ard of Annoals shall be subi++-	hut set	· limitad !	au tha f	lloudes	onditio -								

Bylaw	Land Use	6. 1.16		R-O						Zo	ning Dist	ricts					
Number	Classifications	Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		2.	No excavation below the natural grade of any property bounda	ry shall be	permitte	ed neare	r than fif	fty feet to	such bo	undary.							
		3.	No slope created by the removal operation shall be finished at	a grade in	excess of	f the nati	ural angl	le of repo	se of the	materia	ıl.						
		4.	All excavated areas shall, upon completion of the operation, be	covered v	with not I	less than	four inc	hes of loa	am; brou	ght to th	e finish g	rade and	d seeded	in a satis	factory r	nanner.	
		_															
		5.	Within the Flood-Prone Conservancy (FPC) District excavation of natural flow pattern or reduce the flood storage capacity of a s		oducts sh	nall be pr	ohibited	l if such e	xcavatioi	n will lov	ver the le	evel of th	e water t	table or	will interi	ere with	the
		6.	No permit for earth products removal shall be issued if such re														
			normal use of adjacent property by reason of noise, dust, or vib	ration, or	, (4) resu	lt in traff	ic hazarı	ds in resid	dential ar	reas or e	xcessive	congesti	on or phy	ysical da	nage on	public wa	ays.
		7.	A Special Permit for any earth products removal may be issued	for a perio	od not ex	ceeding	five year	rs in dura	tion. Up	on reapp	lication	or a peri	mit, the 2	Zoning B	oard of A	ppeals, a	t its
			discretion may grant one or more extensions of said permit, ea	ch of whic	h shall no	ot exceed	d five (5)	years du	ration.								
		8.	In approving the issuance of such permit, the Zoning Board of A seeding and planting, fencing necessary for public safety, meth drainage and disposition of waste incident to the operation.									•			,		0,
		9.	The Board may require suitable bond or other security adequal	e to assur	e compli:	ance with	n the nro	ovisions o	f this sec	tion							
			source may require suitable some of other security adequal														
3.374	Processing of earth in connection with its authorized removal.			SP	SP	N	N	N	N	N	N	N	N	N	SP	N	SP
				(N)	(N)												
		Such processing s	hall be clearly secondary to the removal of earth products. It shal	not invol	ve impor	tation of	significa	nt quant	ities of m	naterials	from off	the pren	nises.				
3.375	Radioactive waste storage and			N	N	N	N	N	N	N	N	N	N	N	SP	N	N
	disposal																
		No burial, incinera Board of Appeals.	ation, storage disposal of low-level radioactive wastes, transuranio	wastes o	r high lev	el radioa	ictive wa	stes to b	e permit	ted unle	ss a Spec	ial Permi	t is grant	ed for th	is purpo	se by the	Zoning
SECTION 3	38 MOTOR VEHICLE RELATED USES	bourd of Appeals.															
3.380	Automobile & truck rental			N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
3.381	Automotive filling station, including sales of related products and			N	N	N	N	N	SP	SP	SP	N	SPR	N	N	N	N
	services.																
		Limited to minor	repairs, unless conducted within the building.														
3.382	Automotive salvage yard for the			N	N	N	N	N	N	N	N	N	SP	N	N	N	N
	dismantling, storage and sale of parts for automobiles and light trucks.		ed of landscaping, natural vegetation, fencing or a combination of														
		•	nanner specified by the Zoning Board of Appeals. The Zoning Boar be such as to confine disturbing smoke, fumes, dust, glare and noi				ie Town	Engineer	, Board o	of Health	and D.E.	P. concei	rning the	appropr	iate met	hods of d	isposal.
3.383	Car wash			N	N	N	N	N	N	N	N	N	SPR	N	N	N	N
3.384	Parking facilities					- '							****				
	3.3840 Commercial parking lot or parking garage			N	N	N	N	N	SP	SP	SP	N	SP	N	N	N	N
	2 2044 Public regular let an energy			N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SP	SP	SP	N
	3.3841 Public parking lot or garage			IN	IN	IN	IN	IN	31 10	JI IX	3FIX	3P	SPN	31	35	31	

Bylaw	Land Use	Standards &	R-O						Zoi	ning Disti	ricts					
Number	Classifications	Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		Not to include sale of fuel. Limited to minor repairs, unless conducted within the b	uilding.													
3.386	Motor vehicle sales, including trucks, boats, and farm equipment.		N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
		For the display and sale of such vehicles including warranty work and other repair	nd service	conducte	ed as an a	accessor	y use.									
3.387	Sale of auto parts, excluding installation and repair services.		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
		Inside sales only. In the B-N District, there shall be no more than four (4) employed	s on-site a	t any tim	e, and th	e establi	shment s	hall be c	losed by	9:00 p.m						
3.388	Sales of auto parts, including tires, batteries, mufflers, and the installation and service thereof.		N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
		Inside sales only.														
3.389	Truck terminal		N	N	N	N	N	N	N	N	N	SP	N	SP	N	N